

**TOWN OF NORTHFIELD  
BOARD OF SELECTMEN  
Minutes of May 13, 2013**

- I. ROLL CALL.** Select Board Chair John Quinn III, Selectmen Chris Bradley, Brad Denny, Matthew Gadbois, and Kenneth W. Goslant. Also present were Town Manager Rob Lewis, Acting Clerk Ken McCann, Laurie Baroffio (Finance Director), Peter G. DeMasi (Highway Superintendent), Ray Hudson (Town Highway Department), Laura Hill-Eubanks (CVRPC Representative), Lawton Rutter (Lost Nation ATV Club), Steve Tiersch (Lost Nation ATV Club), Leslie Matthews, and Kathleen Lott (*Northfield News*).

Chair Quinn called the meeting to order at 7:00 p.m.

- II. PLEDGE OF ALLEGIANCE.** The Board members and the public were asked to rise and recite the Pledge of Allegiance.

- III. SET/ADJUST AGENDA.** Since he has not sufficiently reviewed the bid proposals received last Friday afternoon (05/10/13), Manager Lewis asked that "Cemetery Maintenance Contractor" be removed from the agenda.

**IV. PUBLIC PARTICIPATION**

- a. Laura Hill-Eubanks, Northfield's CVRPC Representative: Proposed Consolidation of Central Vermont Regional Planning Commission (CVRPC) and Central Vermont Economic Development Corporation (CVEDC).** Ms. Hill-Eubanks was appointed as Northfield's CVRPC Representative last month (04/08/13) and she would like to provide the Selectmen with an update on the proposed consolidation of CVRPC and CVEDC. As indicated in her memorandum, Ms. Hill-Eubanks does not believe that all the questions she has about the merger have been answered and she would vote "no" should it come up for action at tomorrow night's CVRPC meeting. Although the vote on merger originally was planned for this next meeting, Ms. Hill-Eubanks now believes that formal action will be postponed for a month or two. In the interim, Ms. Hill-Eubanks would like some feedback with any questions or concerns the Selectmen might have. Selectman Bradley noted that discussion of this possible merger has been going on for over a year. He does see some advantages given the overlapping responsibilities of these organizations. Ms. Hill-Eubanks agreed that merger does make some sense but she was concerned about the new voting rules for the consolidated organization that she felt would undermine the authority of the twenty-three (23) member towns. Specifically, in addition to the town representatives there would be a nine (9) member development voting block and three (3) at large members, resulting in thirty-five (35) voting members. She felt that this might result in larger member towns with specific economic agendas having disproportionate voting advantage over the others. Chair Quinn suggested that the Selectmen should contact Ms. Hill-Eubanks with any concerns that they might have so that she can share them at future CVRPC meetings. Manager Lewis also is concerned by this potential loss of local control that might diminish the power of the member towns' own planning commissions. Although he also sees some advantages to this consolidation, he would like the proposed bylaws rewritten in order to protect communities from having controversial projects (such as energy-generating wind turbines) being forced upon them by an outside agency. Selectman Denny agreed that although consolidation appears to have some merits in the long run, the concerns expressed tonight should be addressed. As indicated earlier, the Selectmen are encouraged to contact Ms. Hill-Eubanks with their concerns. Chair Quinn then thanked her for providing the Select Board with this important information.
- b. Lawton Rutter: Lost Nation All-Terrain Vehicle (ATV) Club Request for Expanded VASA Trail System in Northfield.** Mr. Rutter represents a local ATV club that would like to expand the off-road trails in Northfield and Roxbury by allowing ATVs to operate on town highways where there is a gap in the current trail system. Mr. Rutter distributed a draft ordinance that in addition to imposing rules for ATV usage (i.e., hours of operation, speed limits, etc.), also allows ATVs to be operated on the entirety of Bull Run Road, Winch Hill Road, Messier Hill Road, and on Lovers Lane from "the bridge to the entry of South Village Mobil." ATVs now operate on the VASA (Vermont All Terrain Vehicle Sportsman's Association) trail system that was created by obtaining landowner permission to travel on private property. There now is a fifteen (15) mile trail system in Roxbury as a result of a similar request to allow for ATV usage on town highways. Selectman Goslant asked if there had been any problems in Roxbury following the ordinance adoption. Mr. Rutter stated that there had been three (3) complaints that were the result of the ATV operators acting in violation of Lost Nation ATV Club rules, such as not staying on the approved trail and/or operating an unregistered ATV. Manager Lewis is concerned that Winch Hill Road is a winding road that would be dangerous for ATVs to negotiate after dark. Mr. Rutter noted that one of Lost Nation ATV Club's requirements is that members' ATVs must have operating headlights. Selectman Gadbois asked why the proposed ordinance requested ATV operation on the three (3) roads in their entirety if the intention is to fill in gaps on the current trail system. Mr. Rutter would prefer that the ordinance worded in that manner rather than specifying certain segments of these roads so that the ordinance would not have to be rewritten each time new landowners allowed trail access on their properties. Selectman Goslant does not have a problem with this request as long as Lost Nation ATV Club works with property owners and makes sure its members stay on the approved trails. Selectman Denny asked how the proposed ordinance would protect the environment as claimed in the "Purpose" section. Mr. Rutter stated that his club members work to keep the trail system free of storm damage and at least twice a year go out and clear the trails of trash and other debris.

Selectman Denny noted that one spring some ATV users went through his property without permission while the ground was still soft and did a lot of damage. Mr. Rutter stated that the trail system used by Lost Nation ATV Club is not opened until late spring when the ground is solid. Also, their bylaws require ATV users stay on the approved trail system. Selectman Bradley would like the proposed ordinance forwarded to the Police Chief and the Highway Superintendent to determine if they have any concerns. He also would like the sections of town highway opened to ATV usage specified in the ordinance. Selectman Bradley then asked how the proposed ordinance was generated. Mr. Rutter said it was based on the ordinance written for Roxbury, which in turn was based upon approved ordinances from four (4) other Vermont communities. Manager Lewis is concerned that the Northfield Police Department (NPD) would be tasked with enforcing the ordinance. He would prefer that Lost Nation ATV Club do this instead. Mr. Rutter stated that Lost Nation ATV Club certainly tries to make sure that its members adhere to regulations. Selectman Goslant believes that Lost Nation ATV Club deserves a chance to work with landowners to expand the existing ATV trails. Selectman Bradley suggested that the Select Board members should further review the proposed ordinance while seeking counsel from the Police Chief and Highway Superintendent. Chair Quinn thanked Mr. Rutter for bringing this proposal forward and added that the Select Board will contact him when there is a consensus on moving forward on this matter.

## **V. DEPARTMENT HEAD REPORTS**

### **a. Finance Director Laurie Baroffio**

- 1. FY 2012/2013 Year End Projection.** Ms. Baroffio provided the Board members with projections on how FY 2012/2013 Town General and Town Highway budgets will fare by the end of the current fiscal year (June 30, 2013). For Town General, she is estimating \$61,715 in revenue and \$17,586.38 in expenditures, leaving a budget variance of \$44,129.59. Subtracting the potential tax refund to the Village of Northfield (\$31,569.29) because of a recent court case, the Town General would have a positive budget balance of \$12,560.30. As regards the Town Highway budget, Ms. Baroffio estimated a positive budget balance of \$23,024. She stated that this was mainly due to the Select Board budgeting funds for contracted winter maintenance of some backroads but then deciding not to outsource the work. Ms. Baroffio reminded those watching that final payments of FY 2012/2013 property taxes are due this coming Friday (05/17/13). She noted that 88.6% of the total payments have been received to date. Historically, about four percent (4%) of the total amount is not collected by the deadline and becomes delinquent. Selectman Denny thanked Ms. Baroffio and everyone else who worked to keep the Town's budget under control.

### **b. Highway Superintendent Peter G. DeMasi**

- 1. Monthly Report (including Mud Season update).** Mr. DeMasi had provided the Board with a written report and he now touched on its highlights. He discussed the specific roads that had received gravel deposits during mud season. The total cost of this material will be about \$16,000 when all the bills have been received. Mr. DeMasi then discussed the springtime road grading; seasonal maintenance of highway equipment; preparations at the Memorial Park and the Municipal Pool for summer usage; etc. Chair Quinn asked if there still are plans to work on Forest Road and Turkey Hill this spring. Mr. DeMasi stated that this would be done when weather permits. Selectman Gadbois asked if the Highway Department tracks the amount of gravel deposited on each road during mud season. Mr. DeMasi said this would be shown on the employees' work sheets, which indicate how much and to where they haul gravel each work day. Selectman Gadbois thought that it might be useful to determine which roads have major problems each spring so that corrective work could be done to prevent this in the future. Selectman Bradley would like an updated list of one- and two-house roads. Manager Lewis will provide this.
- 2. Road Surface Management System (RSMS) Review and Report.** Mr. DeMasi had prepared an inventory of each Town Highway that indicated its level of traffic as well as its drainage status. From this list, Mr. DeMasi will prioritize the roads most in need of RSMS work in the coming months. He thanked Town Highway Operator Ray Hudson for his assistance in inputting the data that resulted in this generated list.
- 3. Proposed Summer 2013 Highway Work Schedule.** Mr. DeMasi provided a handout that listed the roadwork that he envisions in the coming summer months. This list, which is preliminary to a discussion with the Town's Highway Committee, includes paving on Preston Drive, Terrace Drive, and Winch View Drive; top dressing on Boardman Road, Gib Lane, Dole Hill, and Chamberlin Road; and extensive roadway reconstruction on Lovers Lane [provided that the grant application submitted to the Vermont Agency of Transportation (AOT) proves successful]. In addition, about fifteen (15) to twenty (20) culverts will be replaced. Roadside mowing, ditching, ledge removal, and tree cutting will be ongoing as weather and manpower allows. In addition, there will be some maintenance on the Third Covered Bridge on Cox Brook Road and other bridges in need of repair. A box culvert will be installed on Smith Hill should that AOT grant be approved. Selectman Bradley then asked Mr. DeMasi's opinion of the current state paving of Vermont Routes 12 and 12A. Mr. DeMasi felt that they had done a good job so far. Now that the first layer of paving has been completed, the work crews will be focusing on the ends of side streets, etc. The second and final layer of paving probably will take place in mid-June, adding another inch (1") of asphalt.

**VI. APPROVAL OF MINUTES**

- a. **April 23, 2013 (Joint Board Meeting).** Motion by Selectman Denny, seconded by Selectman Bradley, to approve the minutes. **Motion passed 4-0-1, with Selectman Quinn abstaining.**

**VII. APPROVAL OF BILLS**

- a. **Warrant #22-13.** Motion by Selectman Bradley, seconded by Selectman Quinn, to approve Warrant #22-13 in the amount of \$49,816.94. Selectman Gadbois is concerned about the amount of the phone bills for the various Town departments. He asked if there has been any progress in getting a new, less expensive contract with TDS Telecom. Manager Lewis stated that the Village is in charge of this negotiation and nothing has been decided yet. This matter will be on the next Joint Board Meeting agenda (05/28/13). Chair Quinn thanked Manager Lewis for negotiating with VOSHA and receiving a fifty percent (50%) reduction in the recent fines imposed. **Motion passed 5-0-0.**
- b. **Approval of Bi-Weekly Payroll through April 28, 2013.** Motion by Selectman Denny, seconded by Selectman Gadbois, to approve the bi-weekly payroll in the amount of \$ 50,564.62. Selectman Goslant asked if the Town would be reimbursed for the NPD officer on scene during the AOT paving project. Manager Lewis said that this would be the case; he will check on the exact rate of this reimbursement. **Motion passed 5-0-0.**

**VIII. LIQUOR CONTROL COMMISSION**

- a. **Tobacco License Renewal Application: Norwich University Bookstore.** Motion by Selectman Bradley, seconded by Selectman Denny, to approve the tobacco license renewal. **Motion passed 5-0-0.**

**IX. SELECT BOARD**

- a. **Approval of New Town Truck & Plow, Dump Body Package.** Mr. DeMasi said bid proposals for the purchase of a new truck with plow and dump body package were opened on April 10, 2013. Since that time, Mr. DeMasi has been reviewing the proposals and soliciting input from his highway operators on the optimum purchase based on the specifications and bid amounts. It is the unanimous opinion of Mr. DeMasi and his crew that the Town should purchase a 2014 Western Star 4700 from J&B International and the truck body from HP Fairfield for a total price (minus trade-in value) of \$67,110. Motion by Selectman Bradley, seconded by Selectman Denny, to authorize the recommended purchase. Chair Quinn asked why the recommendation was to purchase the Western Star 4700 and not the International 7600. Mr. Demasi stated that there have problems with International engines in recent years. A new engine will be introduced this summer but he rather not purchase it untested. Selectman Goslant asked if the added expense of the HP Fairfield truck body was worth it. Mr. DeMasi stated that it was far superior to the alternatives with greater durability, proper sizing, etc. **Motion passed 5-0-0.**
- b. **Town Manager Contract.** Chair Quinn distributed a revised contract to the other Board members that has a couple of changes. Motion by Selectman Bradley, seconded by Selectman Gadbois, to approve and authorize Chair Quinn to sign the contract. Selectman Denny is pleased with the revisions made, such replacing the "maximum" forty (40) hour work week with a "minimum" forty (40) hour work week. In addition, the revised contract removes the clause that made Manager Lewis the preferred candidate to serve as the manager of the post-merger consolidated municipality. Selectman Denny felt that hiring the new Municipal Manager would be a joint decision of the Town Selectmen and Village Trustees so the Town could not act unilaterally on this matter. Selectman Gadbois is concerned about the clause that would provide Manager Lewis with the payment of five (5) months' salary should he be discharged during the term of the contract. Selectman Bradley stated that this clause would only become effective should Manager Lewis be terminated "without cause." It is included in Manager Lewis' current contract. Chair Quinn stated that this is a fairly standard contract clause even though in most cases, the number of months' salary matches the number of years for the contract. Selectman Goslant believes that this is too much for a one-year contract. Chair Quinn then noted that the contract calls for Manager Lewis to receive a \$71,000 annual salary along with a \$400 per month personal vehicle allowance. Manager Lewis believes that the five-month clause is appropriate given that it is the only security he has should he be dismissed for no reason and then has to secure employment elsewhere. After some discussion, Manager Lewis did not object to reducing the compensation timeframe to three (3) months. Motion by Selectman Bradley, seconded by Selectman Gadbois, to amend the proposed contract by changing the five (5) month salary clause to three (3) months. **Motion to amend contract passed 5-0-0.** Selectman Denny believes that this is a fair contract and that the dismissal compensation clause is very unlikely to come into play. Selectman Goslant agreed that Manager Lewis has done a very good job. **Motion to approve and authorize Chair Quinn to sign the amended contract with Town Manager Lewis passed 5-0-0.**
- c. **Renewal of Personnel Service Contract.** Charlene Lathrop has been providing technical support to the Board of Listers for several years. Due to her excellent work history, both Listers' Chair Art Supplee and Manager Lewis recommend that her personal service contract be extended for another year through June 30, 2014. Selectman Denny agreed that Ms. Lathrop has done a very good job. Motion by Selectman Goslant, seconded by Selectman Bradley, to approve and authorize Manager Lewis to sign a one (1) year extension of Charlene Lathrop's personal service contract. **Motion passed 5-0-0.**
- d. **Appointment of Mad River Resource Management Alliance Representative.** Ruth Ruttenberg (who currently serves on Northfield's Conservation Commission, Zoning Board of Adjustment, and Board of Library Trustees) has expressed her interest in representing Northfield at the monthly meetings of the Mad River Resource Management Alliance (MRRMA). Motion by Selectman Bradley, seconded by Selectman Goslant, to appoint Ruth Ruttenberg as Northfield's MRRMA Representative. **Motion passed 5-0-0.**

- e. **Various Outstanding Issues.** Last week, Chair Quinn sent an email to Manager Lewis asking for status reports on various matters. This email and Manager Lewis' response was included in the Board's packets as there are some issues that Chair Quinn would like to discuss in open session. For example, there are two (2) streets in Northfield Falls (Gould Road and Davis Avenue) that are scheduled for paving this year. However, Chair Quinn has reviewed these streets and believes that since neither of them is in particularly bad shape, the budgeted funds should be used paving streets that are in far worse condition. Selectman Bradley suggested that the Highway Committee should look into this and provide a recommendation. There also is the issue of whether the Highway crew should work on Fox Road, a Class 4 Road, in order to resolve drainage issues. Manager Lewis stated that it first must be determined whether the Town has ever installed a culvert on a Class 4 Road. He has been in contact with the property owners regarding other possible solutions. Selectman Goslant believes that the Town should look into encouraging property owners on one-house roads to voluntarily take over their access roads and provide their future maintenance. Manager Lewis has no objections to this once he has an updated list. Selectman Gadbois asked if the school buses are now operating on Turkey Hill Road. Manager Lewis stated that they were not. Since this is the bus company's decision, there is nothing the Town can do about this.
  - f. **Joint Board Meeting: Tuesday, May 28, 2013.** Since the scheduled date for the next Select Board meeting (05/27/13) falls on the Memorial Day holiday, there will be a Joint Board Meeting with the Village Trustees the following night.
  - g. **Status Reports: Various Projects**
    - 1. **Highway Committee.** Chair Quinn stated that he received the written report of the committee's last meeting and was very grateful for it.
- X. MANAGER'S REPORT**
- a. **Status Reports: Various Projects.** Manager Lewis had provided the Board with a written report beforehand. He asked if there were any questions.
    - 1. **Municipal Pool.** Selectman Goslant asked why a local company wasn't hired to do the springtime pool maintenance. Manager Lewis stated that Vermont Protective Coatings (Brandon, VT) is the only company in the region that performs this kind of work.
    - 2. **Combined Facilities.** Selectman Goslant asked if it was true that the Town missed an opportunity to receive a \$96,000 grant to co-locate the Fire Department and Ambulance Service. Selectman Bradley stated that this happened a couple years ago. Manager Lewis stated that such grant funds have become less available in recent years. Selectman Goslant asked if the grant applications required that the facilities be connected to receive these funds. Manager Lewis stated that it was not. Chair Quinn, who serves on the Northfield Fire Department (NFD), stated that this possibility is not very popular with the NFD members. He felt that it was important for the Select Board to explain why this would be a good development for the community. Selectman Denny also would like to learn more about this.
    - 3. **Fairground Road Bridge.** Selectman Goslant asked if the bridge replacement has been delayed until 2015. Manager Lewis said that it has been delayed until 2014. Selectman Goslant felt that it was important to replace the temporary bridge as soon as possible. Manager Lewis stated that the Town could do nothing until FEMA decides how it can proceed. He added that we now are looking at the possibility of installing an arched bridge rather than a flat one. FEMA has committed \$649,000 for the bridge replacement but will pay nothing in the future should it be built at the old location and is washed out another time.
    - 4. **Salt Shed.** Selectman Gadbois asked why the Highway Department can't install the shed itself. Manager Lewis stated that this would take the crew off the roads for a full week, which is too long a period. This shed would be located in the Falls gravel pit.
- XI. PUBLIC PARTICIPATION: Non-agenda items.** There was none.
- XII. EXECUTIVE SESSION.** Motion by Selectman Gadbois, seconded by Selectman Denny, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss a legal matter with Manager Lewis present. **Motion passed 5-0-0.**
- The Board went into executive session at 10:35 p.m.
- Motion by Selectman Bradley, seconded by Selectman Goslant, to come out of executive session. **Motion passed 5-0-0.**
- The Board came out of executive session at 11:10 p.m. No action was taken.
- XIII. ADJOURNMENT.** Motion by Selectman Bradley, seconded by Selectman Goslant, to adjourn. **Motion passed 5-0-0.**
- The Board adjourned at 11:11 p.m.
- Respectfully submitted,
- Kenneth L. McCann*
- Kenneth L. McCann, Acting Clerk
- These minutes are subject to approval at the next regular meeting.
- An audio recording of this meeting is available in the Town Manager's Office.